

GOVERNMENT OF ODISHA  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

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No. RDM-LRGEA-POLICY-0028-2018-43798 /R&DM Dated 01.12.2018

From

Dr. Chandra Sekhar Kumar, IAS  
Principal Secretary to Government  
Revenue & Disaster Management Deptt.

Shri Deorajan Kumar Singh, IAS  
Principal Secretary to Government  
Panchayati Raj & Drinking Water Deptt.

.To

All Collectors

**Sub:- Alienation of Government land for execution of Mega Drinking Water Supply Projects as well as Piped Water Supply Schemes in the State**

Madam / Sir,

As you are aware, providing safe drinking water to the rural people is one of the priority areas of the Government and for the purpose, a number of Mega Drinking Water Supply Projects and Piped Water Supply schemes are in pipeline for ensuring safe drinking water supply in the rural areas out of State funding i.e. BASHUDHA, RIDF, KBK, DMF, OMBADC and CSR funding like NRDWP. Besides, many firms of national and international repute have been assigned with the job to complete the projects in a time bound manner.

2. In the Inter-Departmental Coordination Committee meeting held on 17.09.2018 under the chairmanship of Chief Secretary (copy of the minutes enclosed), it was decided that the revenue field officials will be instructed to expedite the process of selection of site of drinking water project and to facilitate alienation of Government land. In case of non- availability of government land, private land shall be purchased through direct purchase scheme and the Executive Engineer will file necessary requisition for purchase of such land. All Executive Engineers, RWSS will have the land particulars of all the water supply projects under their division. The Revenue field staff like Tahasildar and R.I will provide the land particulars of each Pipe Water Supply projects to avoid future legal complicity and compensation issues.

3. In this connection, R & DM Department has to play an important role in providing land availability for erection of structures like Intake well, Approach Bridge, fitter house, CWR reservoir, CWR Pump House & Sump wall, Admin. Building, Staff quarters, Chemical House, Chlorine Building, Clariflocculator etc. and also for laying of pipelines for the project.



4. Keeping the above in view, Government in Revenue and DM Department have been pleased to issue the following instructions to expedite the process of alienation of Government land and wherever necessary for direct purchase of private land for Drinking water projects;

- a) Executive Engineer, RWSS and concerned Tahasildar, on the basis of ground water availability and project lay out plan will jointly identify the exact location of the project and extent of land required.
- b) Local R.I. / Tahasildar shall furnish the land particulars like plot No., Khata No., Trace Map etc. to the Executive engineer for filing requisition in the form No. 1-A of the OGLS Rules, 1983. While finalizing the location, Tahasildar shall ensure that the land is leasable, free from encroachment, free from tree growth and free from sairat reserve.
- c) The Executive Engineer, RWSS shall file necessary requisition with the concerned Tahasildar for alienation of the land in favour of PR&DW Department.
- d) Tahasildar, on receipt of the application shall process the alienation proposal. Pending alienation, as these are drinking water projects, Tahasildar shall submit the case record to Collector and also demarcate and hand over the land to Executive Engineer RWS&S for quick execution of the project.

5. Collector/ Tahasildar shall decide the actual extent of land required for alienation on the basis of standard land use plan furnished by the Executive Engineer, RWSS for the project.

6. In case Government land is not available in the village for setting up Drinking Water projects, the Executive Engineer, RWSS shall take steps for direct purchase of land for the purpose and concerned Tahasildar and Collector shall facilitate the same as per R&DM Department circular No. 10241 dated 31.03.2014 and No. 2846 dated 27.01.2016 (Copy enclosed).

7. Collector of the District shall ensure that suitable lands are identified and handed over to the concerned Executive Engineer, RWSS within one month of filing requisition and the alienation proposal is finalized within 3 months of such requisition.

All Sub-Collectors and Tahasildars shall be intimated accordingly.

Yours faithfully,

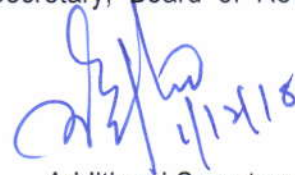
  
Principal Secretary to Government  
Panchayati Raj & Drinking Water Deptt.

  
Principal Secretary to Government  
Revenue & Disaster Management Deptt.



Memo No. 43799 /RDM Dated 01.12.2018

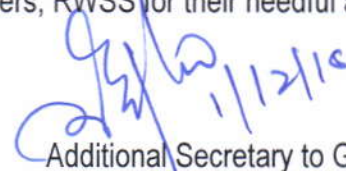
Copy with copy of the enclosure forwarded to Secretary, Board of Revenue, Odisha, Cuttack/ all RDCs for information and necessary action.



Additional Secretary to Government

Memo No. 43800 /RDM Dated 01.12.2018

Copy with copy of the enclosure forwarded to Additional Secretary to Government, Panchayati Raj & Drinking Water Department for information and necessary action. He is requested to circulate the letter among all Executive Engineers, RWSS for their needful action.



Additional Secretary to Government

Memo No. 43801 /RDM Dated 01.12.2018

Copy with copy of the enclosure forwarded to Joint Secretary (in charge of IMU Cell), Revenue & D.M Department for information and necessary action.



Additional Secretary to Government

**Proceedings of the Inter Departmental Coordination Meeting on Rural  
Water Supply of Panchayati Raj and Drinking Water Department on 17<sup>th</sup>  
September,2018 at 04.30 PM under the Chairmanship of Chief Secretary in  
the 2<sup>nd</sup> floor Conference Hall, Odisha, Secretariat**

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Keeping in view the role of PR & DW Department for streamlining rural piped water supply through Mega and Medium PWS projects in different Schemes of State Government like BASUDHA, RIDF, OMBADC, DMF, KBK and the Central Sector Scheme i.e. NRDWP , it is felt necessity for having Inter-Departmental Coordination Committee meeting. The role of each Department for extending their cooperation and coordination to the water supply scheme was vividly discussed.

At the outset, the Chief Secretary welcomed the Secretaries of the Line Departments present in the meeting and asked the Director, Drinking Water & Sanitation to make a detailed presentation as per agenda.

Director, Drinking Water and Sanitation stated that huge funds have been provided by Government under different schemes to provide drinking water supply in the quality and scarcity habitation Districts as well as in the mining affected area Districts. Around 4907 projects with total cost of Rs 8874.52 crore have already been sanctioned which includes 53 nos. of Mega PWS Projects with an estimated cost of Rs.6137.47 crore. There is plan of taking up more nos. of projects to reach the target of around 15,000 crore covering all 30 Districts including improvement and augmentation. While implementing these projects, various issues like land acquisition and alienation, approvals and clearances from various Departments like Water Resources, Forest clearance, clearance from NH and Works Deptt., timely action of Energy Deptt. etc. is required to be sorted out for which, the field officials should own the responsibility for issue of clearance to the RWSS organization as per rule without causing any delay as drinking water is the top priority of the Government.



**Housing and Urban Development Department**  
**(Human Resource issues) :-**

The Four major issues which requires immediate attention of H&UD Department are :

- Promotion of Deputy Executive Engineer to Executive Engineer
- Filling up of base level vacancy in the post of Jr.Engineer.
- 126 nos. JE-II have completed 06 years of continuous service and their services are required to be regularised under PH cadre .
- En-cadrement of 314 nos. JE-II RWSS.

After a threadbare discussion, Chief Secretary advised the Commissioner cum Secretary, H&UD Department to take immediate steps for regularisation of JE-II in PH Cadre , En-cadrement of 314 nos. JE-II RWSS in PH Cadre and posting of required manpower at the earliest in PR&DW Department in its RWS&S wing . At present, there are vacancies of 22 nos. of JE-II, 42 nos. of JE-I , 51 nos. of Asst. Engineers, 6 nos. of Asst. Executive Engineers, 18 nos. of Deputy Executive Engineers and 6 nos. of Executive Engineers against the sanctioned strength.

H & UD Deptt. have suggested that wherever possible, the facility of extending water supply to the nearby Municipalities and NACs shall be allowed from the Mega PWS projects of PR & DW Deptt. and accordingly, the designing and setting of pipeline shall be allowed. The additional cost for the purpose to be borne by the PHEO. The EIC, RWSS and EIC, PH shall take a decision in this regard by convening a joint meeting.

**1. Forest and Environment Department**

Most of the rural water supply projects need No objection certificates from Forest Deptt. for laying of pipelines and construction of water supply infrastructures etc. as the land belongs to Forest Department. It has been observed that although requisitions have been filed by the respective RWSS Divisions for obtaining



clearance, but the process is getting delayed at the level of Divisional Forest Officer due to lengthy procedure which hampers the progress of work

After threadbare discussion, Chief Secretary advised the ACS, Forest and Environment Department to issue a detailed guidelines (Standard operating procedure) to the Divisional Forest Officer for taking up water supply projects on priority basis and issue of early clearances to RWSS like linear projects. It was also suggested that a circular in similar lines issued for the Rural Electricity supply may be referred to. For this purpose, the Department will depute a nodal officer and such notification should be communicated to all Divisional Forest Officers and PR&DW Deptt. The Executive Engineer, RWSS shall be authorized by PR & DW Deptt. to file forest clearance before the respective DFO for execution of drinking water projects.

## **2. Revenue and Disaster Management Department**

The basic issues which needs timely consideration for water supply projects are:-

- Availability of Government land for construction of different water supply infra-structures. In case Government land is not available, private land will be purchased through direct purchase scheme.
- Tahasildars and Sub-Collectors may be directed to treat these projects on urgent basis and provide land for water supply infrastructures in suitable areas identified by the RWS&S Division.
- For recording of the land in favour of PR&DW Deptt., the Executive Engineers, RWSS may be allowed to file requisition for alienation of Govt. land or purchase of private land for establishment of water supply infrastructure and they may be authorised to file mutation cases on behalf of PR&DW Department before the Tahaslidars for recording of the land after purchase and acquisition.

After having a comprehensive discussion on the issues, Chief Secretary advised the Principal Secretary, Revenue & DM Department to issue necessary instructions to the Revenue field officials to expedite the process for selection of site of drinking water project and also facilitate alienation of land . In case of non-availability of Govt. land , private land shall be purchased through direct purchase



Scheme under the Chairmanship of Collector and the Executive Engineer will file necessary requisition for purchase of such land. It was decided that all the Executive Engineer, RWSS will have the land particulars of all the water supply projects under their Division. The Revenue filed staff like Tahasildar & Revenue Inspector will provide the land particulars of each PWS projects to avoid future legal complicity and compensation issues.

The Executive Engineers, RWSS shall be authorized to file requisition for alienation of Govt. land and mutation of land where drinking the water supply projects are already situated and proposed to be taken up.

Principal Secretary, Revenue & DM Deptt. told that Mr. Avaya Kumar Nayak, OAS (S) Joint Secretary, would be the nodal Officer on behalf of R & DM Deptt. for facilitating all such activities.

### **3. Water Resource Department**

The following issues were highlighted by the Principal Secretary, PR & DW Deptt. which needs timely intervention .

- Allocation of water for pipe water supply projects from the reservoirs at Nuapada, Kendrapara, Jajpur, Angul, Jharsuguda, Rourkela.
- Approval for Laying of pipeline on the embankment of river, irrigation land.
- Permission and Clearance of Land for laying of pipeline, intake well etc over irrigation land and rivers.
- EIC, RWSS may also be a part of the Water Allocation Committee functioning in WR Deptt.

While discussing on allocation of water from reservoirs, Principal Secretary Water Resources Department suggested that the source identified for Nuapada i.e. Sundar, Saipala, Dumagoan needs to be revisited as the water level during summers falls down to the dead Storage level(DSL) level and this may affect the water supply project in future.

For rest of the sites, Chief Secretary advised to issue early clearances and further suggested that if there is necessity for construction of Barrages in some places of the rivers and channels, PR& DW Department may make budget provision and allocate the fund to WR Department for Construction of check dam and barrage for the purpose. Mr. Santosh Pattanaik Consultant from Water Resource



Department would be the nodal Officer for Rural water Supply Projects and he will look into timely clearance of all the pending issues. The Executive Engineers will be in direct contact with the nodal officers to resolve the issues.

**4. PWD and RD Department:-**

The Department while taking improvement and widening of the road works, prior intimation shall be given to the concerned Executive Engineer, RWSS to avoid any damage to the water pipe line and unnecessary waste of expenditure of the govt. shall be avoided.

Chief Secretary advised that a Standard operating Procedure may be prepared and issued to all the Executive Engineers of RD & PWD Deptt. for allowing pipe laying areas by the RWSS Organisation so that, unnecessary damage of pipe line can be avoided while taking up widening work.

As regards the issues relating to National highway Authority of India, Chief Secretary advised that all necessary formalities shall be maintained as per norms and there should be a coordination meeting at the level of the collector prior to taking up any NH, SH and PMGSY work.

**5. Energy Department:-**

Director, DWS presented four major issues relating to Energy Deptt. which is mentioned below:-

- Restoration of burnt transformers of PWS Projects,
  - Charging of new PWS projects
  - Assessment of Energy billing
  - Certification of Electric works.
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- After a threadbare discussion on the above issues, Chief Secretary advised that Energy Department to assure timely replacement of the burnt transformers so that, there will be no disruption in pipe water supply
  - Regarding Energy billing, Commissioner-cum-Secretary, Energy Department has been advised to make onetime settlement of pending bills of PWS for all the Gram Panchayats till September, 2018 and thereafter, bi-monthly bills may be generated to avoid any future complicacy on payment of energy dues.





- Now a days, in most of the places, the energy bills are issued in the name of Executive Engineers, RWSS as they have applied for electric connection during commissioning of PWS. Chief Secretary suggested to replace the consumer name from Executive Engineers of RWS&S Division to Sarpanches of the GPs as the bills are paid by the GPs.
- Further Commissioner-cum-Secretary, Energy Department has been advised to issue an Authorisation letter in favour of the SDOs of Energy Department for regular inspection of Electrical works of water supply projects under their jurisdiction.
- Commissioner-cum-Secretary, Energy Department informed in the meeting that a Standard Estimate to be prepared and will be circulated basing on power to be consumed(KW) by the PWS so that, the EE, RWSS can prepare the estimate to avoid delay in getting estimate clearance from the Electricity Division.

6. **Rourkela Steel Plant :**

Chief Secretary suggested for a separate meeting with RSP authorities for detailed discussion in the matter.

It has been advised that a special meeting at Grama Panchayat and Panchayat Samiti level shall be convened for discussion on drinking water issues and ownership of the Grama Panchayats of drinking water projects so that, the representatives and officials at PRI level shall be sensitized and many issues relating to drinking water supply can be resolved at grassroots level.

The Meeting ended with vote of thanks to the Chair. This issues with the approval of Chief Secretary.

  
29/9/2018  
**PRINCIPAL SECRETARY**  
**PR & DW DEPARTMENT**

**GOVERNMENT OF ODISHA  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

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No. GE (GL)-S-26/2013- 10991 / R&D.M Dated 31.03.14

From

Dr. Taradatt, IAS,  
Additional Chief Secretary to Government

To

All Collectors

**Sub: Instructions regarding direct purchase of private land for social/infrastructure development projects through bilateral negotiation- Modification thereof**

**Ref: - This Department G.O No. 26223/ R&DM dated 6.7.2013**

Madam/ Sir,

I am directed to say that guidelines regarding direct purchase of private land for social/infrastructure development projects were laid down in this Department G.O. referred above. Subsequently, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLAR&R) Act, 2013 has come into force w.e.f 01.01.2014 wherein a new method for computation of market value of land has been prescribed.

1. Government after careful consideration revises its guidelines issued earlier vide Letter No. 26223/ R&DM dated 06.07.2013 regarding direct purchase of private land as under:
  - (a) Private land up to an extent of 10 hectares can be purchased in a revenue village.
  - (b) Officers authorized to file requisition under RFCTLAR&R Act, 2013 are the Competent Authorities to purchase land under these guidelines.
  - (c) Market value of the land shall be assessed as per the provisions of Section 26 to 30 of RFCTLAR&R Act, 2013. Compensation as admissible in

respect of building and other structures under the said Act shall be payable.

- (d) Legal due diligence like obtaining non-encumbrance certificate from concerned revenue Authority and establishment of a clear title of the seller over the land should be arrived at before purchase of the land.
  - (e) Care should be taken to ensure that suitable compact patches of private land are identified for location of different projects in a cluster.
  - (f) The suitability of the land for the development projects, accessibility through public road and other facilities like drinking water etc. should be ascertained.
  - (g) In case of land belonging to Scheduled Caste/Scheduled Tribe persons in non-scheduled areas and in case of land belonging to Scheduled Caste persons in scheduled areas, permission shall be obtained from the competent authority. However, in scheduled areas, land belonging to Scheduled Tribes shall not be purchased as the same is prohibited by law.
  - (h) No negotiation/transaction shall be made with intermediaries/power of attorney holders. Transaction shall be made only with bona fide owners of the land.
  - (i) Land purchased under these principles shall be allowed to be registered without any payment of stamp duty and registration fee.
  - (j) After purchase and registration of the land, the competent authority of concerned Department/Organization shall take immediate steps for mutation of the same.
  - (k) Budget provisions made for acquisition of the land can be utilized for purchase of private land through bilateral negotiation under these principles.
2. The aforesaid principles would be applicable to any Government project/scheme. The Public Sector Undertakings may also adopt these principles, if felt necessary.

3. This has been concurred in by the Finance Department vide their UOR No. 249/ MF&PE dated 25.03.2014.
4. The earlier instruction issued in this Department Letter No.GE (GL)-S-26/2013-26223/R&DM Dated 06.07.2013 is superseded.

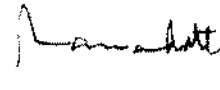
Yours faithfully,

 31.3.14

Additional Chief Secretary to Government

Memo No. 10242 / RDM dated 31.03.14

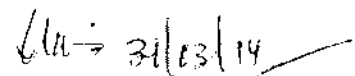
Copy forwarded to all Departments of Government/ Secretary, Board of Revenue, Odisha, Cuttack/ All RDCs for information and necessary action.

 31.3.14

Additional Chief Secretary to Government

Memo No. 10243 / RDM dated 31.03.14

Copy forwarded to Under Secretary to Govt. (in charge of IMU Cell)/ LR & GE (A)/ (B)/(C)/ LA (A)/ (B)/(C)/ R&R Cell/ LR (A)/ (B)/ Registration Branch/ CH&S Branch of Revenue & DM Department for information and necessary action.

 31/03/14

Joint Secretary to Government

**GOVERNMENT OF ODISHA  
REVENUE AND DISASTER MANAGEMENT DEPARTMENT**

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**No. RE-I-50/2015/ LRB 2846 /R&D.M Dated the 27<sup>th</sup> January, 2016**

From

Dr. Mona Sharma, IAS  
Principal Secretary to Government

To

All Collectors,

Sub: Instructions regarding direct purchase of private land through bilateral negotiation for infrastructure and Industrial projects

Sir,

I am directed to say that after coming into force of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLAR&R) Act, 2013 w.e.f. 01.01.2014, different Departments of the State Government and Project Proponents of various infrastructure and industrial projects are facing difficulties for acquiring small and intermittent patches of private land within the project area under the Act, as the process of land acquisition is time consuming. The guidelines regarding direct purchase of private land for social development projects were laid down in this Department G.O. No.10241 dated 31.03.2014.

2. In order to overcome the difficulties, formulation of guidelines for direct purchase of private land through bilateral negotiation, for execution of infrastructure and industrial projects was under active consideration of Government for some time past. Government after careful consideration, have been pleased to lay down the following principles for direct purchase of private land through bilateral negotiation, for execution of infrastructure and industrial projects.

- a) The following guidelines shall be applicable for direct purchase of private land through bilateral negotiations for linear/ infrastructural and industrial projects.
- b) The industrial projects, for which private lands have to be purchased under this guideline, should have been approved by HLCA/ SLSWCA/ DLSWCA under Odisha Industries Facilitation Act, 2004.

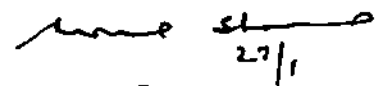


- c) If the private land required to be purchased is equal to or more than the limit Notified by State Government i.e. Ac.50.00 in urban areas and Ac.200.00 in rural areas, the company or the private entrepreneur shall have to pay R&R entitlements along with the compensation, and follow the procedure u/s 46 of the RFCTLAR&R Act, 2013.
- d) Officers authorized to file requisition under RFCTLAR&R Act, 2013 are the Competent Authorities to file requisition and purchase land under these guidelines.
- e) Market value of the land shall be assessed as per the provisions of Section 26 to 30 of RFCTLAR Act, 2013. Compensation as admissible in respect of building and other structures under the said Act shall be payable.
- f) The project proponent shall assess the cost estimate and obtain the approval of Collector of the District through concerned LAO/ Special LAO/Tahasildar, as the case may be.
- g) In case of any irrigated land to be purchased within the ayacut area of any Irrigation project, permission of Water Resources Department has to be obtained.
- h) In view of the food security clause, purchase of multi-crop irrigated land for non-agricultural purposes, even through private negotiation should be avoided. Only in case of exceptional circumstances as demonstrable last resort, multi cropped irrigated land may be purchased, subject to above limits and in the event of such purchase, the private purchaser has to obtain permission of the DoWR/ deposit the reclamation cost as assessed by the DoWR.
- i) Care should be taken that no person is rendered homesteadless / landless by virtue of this sale of his land. In the event of urgency of implementation of the project, alternative land should be made available and the land owner should be rehabilitated properly before the land is purchased.
- j) The company / the private entrepreneur should maintain due legal diligence like obtaining non-encumbrance certificate from concerned revenue Authority

and establishment of a clear title of the seller over the land before purchase of the land.

- k) In case of land belonging to Scheduled Caste/Scheduled Tribe persons in non-scheduled areas and in case of land belonging to Scheduled Caste persons in scheduled areas, permission shall be obtained from the competent authority.
- l) No negotiation/transaction shall be made with intermediaries/ power of attorney holders. Transaction shall be made only with bonafide owners of the land.
- m) No private land shall be acquired forcibly and no coercive method shall be adopted for obtaining possession of the land.
- n) Land purchased under these principles shall be registered and the company has to bear the cost of stamp duty and registration fees.
- o) Any complain/ allegation/ grievance as regards noncompliance of any of the above guidelines may be addressed to Collector of the District, who in turn shall cause enquiry within 15 days and take appropriate action.

Yours faithfully

  
27/1

Principal Secretary to Government.

Memo No. 2847 /RDM dated 27.1.2016

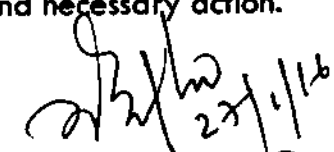
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27/1

Principal Secretary to Government/

Memo No. 2848 /RDM dated 27.1.2016

Copy forwarded to Under Secretary to Govt. (in charge of IMU Cell)/LR &GE (A)/(B)/(C)/LA(A)/(B)/(C)/R&R Cell/LR(A)/(B)/Registration Branch/CH&S Branch of Revenue &DM Department for information and necessary action.

  
27/1/16

Joint Secretary to Government.